<u>REMARKS</u>

In response to the Office Action mailed on September 20, 2005, Applicants respectfully requests) reconsideration. Claim 1-58 are pending in this Application. Claims 1, 19, 25, 41, 47, 53 and 56 are independent claims and the remaining claims are dependent claims. In this Amendment, claims 1, 7, 9 19, 21, 25, 31, 33, 41, 43, 47, 53 and 56 have been amended and claims 6, 20, 30, 42, 48, 54 and 58 have been cancelled. Claims 59 and 60 have been added. A version of the claims containing markings to show the changes made is included hereinabove. Applicants believe that the claims as presented are in condition for allowance. A notice to this affect is respectfully requested.

The Examiner objected to the specification for a variety of reasons, requesting a new specification. The specification has been amended as requested by the Examiner. Applicants submit that no new matter has been added by the substitute specification.

In accordance with 37 C.F.R. §1.121(c), a clean version of the specification and of the pending claims is provided hereinabove and a marked up version of the specification and the claims being changed by the current amendment is attached hereto.

<u>Preliminary Matters</u>

The Examiner objected to the drawings. However, the drawings are believed to be correct. The Examiner stated that "100", "101" and "102" are all used to refer to a computing system environment. Since they refer to different computing system environments, this is acceptable. The Examiner also stated that "105" is used to designate a user and a support engineer. Page 20, line 13 refers to a support engineer as an example of a user, therefore using "105" to refer to both is correct. The Examiner stated that identifier "182-1" is used to indicate four different items, however, "182-1" is used to refer to the second packet communications session, and the identifiers of 182-1 shown in Figure 1 all refer to the second communication session taking place between the data communications device and customer computer networks. The Examiner further stated that "180" and "18" are alternately called packet communications sessions and connections. Applicants can find no mention of "18" in the drawings or the specification.

The other instances cited by the Examiner are also believed to have been addressed by the amendments to the specification. Accordingly, the objection to the drawings is believed to have been properly addressed and should be removed.

Objections

The Examiner objected to claims 1, 3, 4, 6, 10, 12, 14, 16, 22, 25, 30, 34-36, 38, 40, 41, 47, 48, 50, 52, 53, 55, 56 and 58. The claims indicated by the Examiner have been amended to overcome the objections.

Rejections under §101 and §112

The Examiner rejected claims 29, 33 and 34 as directed to non-statutory subject matter and as being indefinite. Claims 29 and 33 have been amended to properly depend from their intended claim, therefore the rejection of claims 29, 33 and 34 is believed to have been overcome.

The Examiner rejected claims 16, 40, 532 and 56 under 35 U.S.C. §112, second paragraph. Claims 16, 40, 52 and 56 have been amended to more distinctly claim the subject matter of the invention. Accordingly, the rejection of claims 16 40, 52 and 56 is believed to have been overcome.

Rejections under §102

Claims 1-58 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,023,507 to Wookey (hereinafter Wookey).

Wookey discloses an automatic remote computer monitoring system. In Wookey, as shown in Figure 3 and described at column 4, line 46 through column 5, line 50, a database system which includes a firewall, in which diagnostic information from the monitored system is transmitted back to the service system and stored.

Claim 1 has been amended to include the limitations of claim 6. As such, amended claim 1 now includes the steps of obtaining connection information for a data communications device, initiating a first packet communications session using the connection information, providing to the data communications device the first packet

communications session authentication information such that the data communications device can determine if a user of the computer system is authorized to establish the first packet communications session and allowing the computer system to establish a second packet communications session from the data communications device to the data storage system when the user is authorized or denying the ability to establish a second packet communications session from the data communications device to the data storage system when the user is not authorized.

In the rejection of claim 6, the Examiner stated that Wookey discloses the same. Applicants respectfully disagree with the Examiner's statement. In Wookey, a service computer arguably corresponds to the computer system of claim 1, the monitored system arguably corresponds to the data storage system of claim 1 and the customer modem and service center modem arguable correspond to the data communications device of claim 1. In Wookey, the service center dials the monitored systems modem. The customer modem is password protected, and the password is supplied by the service center. The service center provides a second dial–back password corresponding to the modem phone number of the service center modem. The monitored system modem then dials back the service center modem.

In contrast to Wookey, amended claim 1 recites in part that a first packet communications session is initiated from the computer system to the data communications device (arguably the computer system to the customer modem or service modem). Amended claim 1 further states that first packet communications session authentication information is provided to the data communications device (arguably providing the dial back password of the service center modem). Amended claim 1 further states that the data communications device can determine if a user of the computer system is authorized to establish the first packet communications session. Wookey fails to disclose or suggest the determining if the user of the computer system is authorized to establish the first packet communications system. Since Wookey fails to disclose the determining if the user is authorized to establish the first packet communications session, Wookey also fails to disclose allowing he computer system to perform the step of establishing a second packet communications session from the data communications

device to a data storage system when the determination is that the user is authorized. Wookey also fails to disclose the step of denying the ability of the computer system to perform the step of establishing a second packet communications session from the data communications device to the data storage system when the determination is that the user is not authorized.
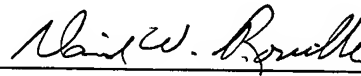
Accordingly, since amended claim 1 recites authentication of the user of the computer system and steps to be taken depending on whether the use is authenticated or not, while Wookey fails to disclose or suggest the same, amended claim 1 is believed allowable over Wookey. Claims 19, 25, 41, 47, 53 and 56 have been amended in a similar manner and are believed allowable over Wookey for the same reasons. Claims 2-5, 7-18, 21-24, 26-40, 43-46, 49-52, 55 and 57 depend from claims 1, 19, 25, 41, 47, 53 or 56 and are believed allowable as they depend from a base claim which is believed allowable. Therefore, the rejection of claims 1-58 under 35 U.S.C. §102(b) as being anticipated by Wookey is believed to have been overcome.

In view of the above, the Examiners objections and rejections are believed to have been overcome, placing claims 1-5, 7-19, 21-29, 31-41, 43-47, 49-53 and 55-57   in condition for allowance and reconsideration and allowance thereof is respectfully requested.

Claims 59 and 60 have been added. Support for these claims can be found at page 44, lines 15-25. Applicants assert that no new matter has been added. Claims 59-60 are believed allowable with claims 1-5, 7-19, 21-29, 31-41, 43-47, 49-53 and 55-57.

If the enclosed papers or fees are considered incomplete, the Patent Office is respectfully requested to contact the undersigned collect at (508) 366-9600, in Westborough, Massachusetts.

Respectfully submitted,

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